

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

DUANE & VIRGINIA LANIER
TRUST, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

v.

SANDRIDGE ENERGY, INC.,
SANDRIDGE MISSISSIPPIAN
TRUST I, SANDRIDGE
MISSISSIPPIAN TRUST II, TOM L.
WARD, JAMES D. BENNETT,
MATTHEW K. GRUBB, RANDALL
D. COOLEY, JIM J. BREWER,
EVERETT R. DOBSON, WILLIAM A.
GILLILAND, DANIEL W. JORDAN,
ROY T. OLIVER, JR., JEFFREY S.
SEROTA, D. DWIGHT SCOTT,
RAYMOND JAMES & ASSOCIATES,
INC., MORGAN STANLEY & CO.
LLC, MERRILL LYNCH, PIERCE,
FENNER & SMITH, INC.,
CITIGROUP GLOBAL MARKETS
INC., and RBC CAPITAL MARKETS,
LLC,

Defendants.

CIVIL ACTION NO. 15-cv-00634-M

**JUDGE VICKI MILES-
LaGRANGE**

NOTICE OF NON-OPPOSITION

PLEASE TAKE NOTICE THAT in light of the intervening decision of the Supreme Court in *California Pub. Employees' Ret. Sys. v. ANZ Sec., Inc.*, 137 S. Ct. 2042, 2044 (2017), Lead Plaintiffs Ivan Nibur, Lawrence Ross, Jase Luna, Matthew

Willenbucher, and the Duane & Virginia Lanier Trust do not oppose dismissal of the Section 11 Claims asserted in this action. Lead Plaintiffs respectfully ask whether the Court prefers that Lead Plaintiffs:

- (a) Take no action; or
- (b) In order to streamline the Court's consideration of Defendants' motion to dismiss, file a Second Amended Complaint that omits the Section 11 claims and includes the facts pled in Lead Plaintiffs' Supplemental Complaint (dkt. # 120) and have the Defendants refile their motion to dismiss and the Parties refile briefs in support of and in opposition to it. Plaintiffs do not anticipate that they will raise allegations in their Second Amended Complaint which they have not raised before. Accordingly, Plaintiffs expect that the briefing of Defendants' motion to dismiss could be conducted on an expedited basis.

Dated: July 27, 2017

Respectfully submitted,

s/Nicholas G. Farha
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Additional counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of July 2017, I electronically transmitted **NOTICE OF NON-OPPOSITION** to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the appropriate ECF registrants:

s/Nicholas G. Farha

Nicholas G. Farha